

1 MICHAEL D. LONG (CA State Bar #149475)  
2 901 H Street, Suite 301  
3 Sacramento, CA 95814  
(916) 201-4188  
4 Mike.Long.Law@msn.com

5 Attorney for CEASAR MARTINEZ

6 IN THE UNITED STATES DISTRICT COURT  
7 FOR THE EASTERN DISTRICT OF CALIFORNIA

8 THE UNITED STATES OF AMERICA, ) No. 2:21-cr-00020-JAM  
9 Plaintiff, )  
10 v. ) **STIPULATION AND ORDER**  
11 NEHEMIAH AVILA, ) **TO STATUS CONFERENCE**  
12 CEASAR MARTINEZ, and )  
13 RICARDO MARMOLEJO, ) Requested date: 9-24-2024  
Defendants. ) Time: 9:00 a.m.  
Judge: Hon. John A. Mendez  
===== ) Judge: Hon. John A. Mendez

14 It is hereby stipulated between the parties, Adrian Kinsella, Assistant United States Attorneys,  
15 Todd Leras, attorney for defendant NEHEMIAH AVILA, Michael Long, attorney for defendant  
16 CEASAR MARTINEZ, and Dina Santos, attorney for defendant RICARDO MARMOLEJO, that the  
17 status conference set for May 21, 2024, at 9:00 a.m. should be vacated and re-set for September 24,  
18 2024, at 9:00 a.m., under the Local Code T-4 (to allow defense counsel time to prepare).

20 The parties agree and stipulate, and request the Court find the following:

21 a. A continuance is requested to continue to allow the Defense to continue to review the  
22 voluminous discovery, conduct investigation, confer with clients and discuss with the  
23 government a potential resolution. All Counsel require additional time to prepare.

25 b. Counsel for the Defendants believes the failure to grant a continuance in this case would deny  
26 defense counsel reasonable time necessary for effective preparation, taking into account the  
27 exercise of due diligence.

1 c. The Government does not object to the continuance.  
2 d. Based on the above-stated findings, the ends of justice served by granting the requested  
3 continuance outweigh the best interests of the public and the defendants in a speedy trial within  
4 the original date prescribed by the Speedy Trial Act.  
5 e. For the purpose of computing time under the Speedy Trial Act, 18 United States Code Section  
6 3161(h)(7)(A) within which trial must commence, the time period of May 21, 2024, to  
7 September 24, 2024, inclusive, is deemed excludable pursuant to 18 United States Code Section  
8 3161(h)(7)(A) and (B)(iv), corresponding to Local Code T-4 because it results from a  
9 continuance granted by the Court at defendant's request on the basis of the Court's finding that  
10 the ends of justice served by taking such action outweigh the best interest of the public and the  
11 defendant in a speedy trial.

14 Nothing in this stipulation and order shall preclude a finding that other provisions of the  
15 Speedy Trial Act dictate that additional time periods are excludable from the period within which  
16 a trial must commence.

19 Dated: May 14, 2024

Respectfully submitted,

20 /s/ Michael D. Long  
21 MICHAEL D. LONG  
22 Attorney for Ceasar Martinez

23 /s/ Todd Leras  
24 TODD LERAS  
25 Attorney for Nehemiah Avila

26 /s/ Dina Santos  
27 DINA SANTOS  
28 Attorney for Ricardo Marmolejo

///  
///

1  
2 Dated: May 14, 2024

PHIL TALBERT  
United States Attorney

4 /s/ Adrian Kinsella \_\_\_\_\_  
5 ADRIAN KINSELLA  
6 Assistant U.S. Attorney

7 ORDER

8 **GOOD CAUSE APPEARING AND HAVING BEEN SHOWN, IT IS SO ORDERED.**

9 The date for the status hearing in this matter is hereby **RESET** for **September 24, 2024, at**  
10 **9:00 a.m.**, before District Court Judge John A. Mendez.

11 Time is **EXCLUDED** through the new hearing date of September 24, 2024.

12  
13 Dated: May 15, 2024

/s/ John A. Mendez  
14 THE HONORABLE JOHN A. MENDEZ  
15 SENIOR UNITED STATES DISTRICT JUDGE